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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : CHOU et al. Confirmation No: 7579
Appl. No. : 10/809,357
Filed : March 26, 2004
Title : Welding Flux for Use in Arc-Welding of Stainless Steels,
Method for Welding Stainless Steel Members Using the
Welding Flux

TC/A.U. : 1742
Examiner : D. J. Jenkins

Docket No.: : CHOU3097/REF
Customer No: : 23364

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Official Action of October 4, 2004, in connection with the above identified application.

The Official Action is a Restriction Requirement in which it is urged that there are two separate and distinct inventions claimed in this application. Applicants elect the Group I invention, drawn to a welding flux which includes claims 1-4, with traverse.

In the Official Action the Examiner states that the inventions listed as Group I and II are related as product and process of use. The inventions can be shown to be distinct if either 1) the process for using the product can be practiced with another materially different product or 2) the product can be used in a materially different process of using that product. It is concluded by the Examiner that in the instant case, the product can be used in a flux containing welding rod but this is a linking claim.

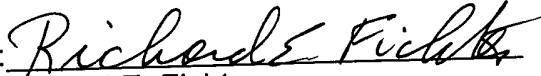
Applicants believe the Group II invention should be rejoined with the Group I invention because claims 5-9 directly and/or indirectly depend on claim 1 which links the inventions together. Moreover, the examination of both sets of claims does not place an undue search burden on the Examiner. Accordingly, it is believed that both Groups I and II do relate to a single general inventive concept and withdrawal of the restriction is most respectfully requested.

Appl. No. 10/809,357
Amendment dated: October 31, 2004
Reply to OA of: October 4, 2004

In view of the election of the Group I invention, with traverse, an early and favorable action on the merits taking into consideration the Information Disclosure Statement filed with the application is now believed to be in order and is most respectfully requested.

Respectfully submitted,

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October 31, 2004